

**ATTACHMENTS TO THE EXPERT
REPORT OF DR. ELIZABETH
BECKER
REDACTED VERSION**



Elizabeth Becker
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Elizabeth Becker

Senior Vice President

Dr. Becker has applied her expertise in economics, statistics and the management of complex databases to a broad range of employment disputes for nearly 15 years. She has been retained in numerous discrimination and wage and hour class actions to address issues of class certification, liability, and damages. She has testified in state, federal and bankruptcy court and before arbitration panels, working for both defendants and plaintiffs. Dr. Becker also assists clients with self reviews of employment practices, implementation of remedial action, and negotiation of settlements.

In addition to her employment-related consulting, Dr. Becker has evaluated claims of discrimination in lending, education, and law enforcement. She has assessed economic losses from breach of contract, breach of fiduciary responsibility, unjust enrichment, and fraud. She also has opined on statistical questions and data integrity issues in warranty claims disputes and consumer class actions.

Dr. Becker joined NERA from Huron Consulting Group, where she was a Managing Director. Previously, she was Managing Principal at Analysis Group, Inc. and Principal of the Employment Economics practice at PricewaterhouseCoopers LLP. Dr. Becker also held an appointment as Assistant Professor of Economics at Clemson University.

Dr. Becker's research on labor economics and statistics has been presented at regional, national and international professional conferences, and has been published in peer-reviewed journals.

Dr. Becker holds a PhD in applied economics and an MA in economics from Clemson University, and a BA in economics and political science from the University of Wisconsin, Madison.

Education

Clemson University

Ph.D., Applied Economics, 1989

M.A., Economics, 1985

University of Wisconsin-Madison

B.A., Economics and Political Science, 1982

Honors: Phi Beta Kappa

Professional Experience

2010-	NERA Economic Consulting Senior Vice President
2006-2010	Huron Consulting Group Managing Director
2001-2006	Analysis Group, Inc. Managing Principal
1998-2001	PricewaterhouseCoopers LLP – Employment Economics Principal
1997-1998	Director
1996-1997	Senior Manager
1995-1996	Manager
1990-1995	Clemson University Assistant Professor, Department of Economics
1984-1990	Research and Teaching Assistant, Department of Economics
1982-1984	Ohio Public Interest Campaign Project Director

Professional Affiliations

American Economic Association

Society of Labor Economists

American Bar Association

Society for Human Resource Management

Publications and Presentations

“Using Statistical Analysis For Employee Misclassification,” co-authored with Mary Elizabeth Stern, *Employment Law* 360, August 1, 2013.

“Successfully Navigating OFCCP Adverse Impact Investigations,” presented at The 2012 National Law Journal Regulatory Summit hosted by The National Law Journal and Legal Times, Washington, DC, December 6, 2012.

“Working with Experts in Wage and Hour Litigation”, as part of a panel, hosted by the ABA Section of Labor and Employment Law, at the 5th Annual Labor and Employment Law Conference, Seattle, Washington, November 4, 2011.

“Making Your Case: The Effective Use of Expert Witnesses in Employment Litigation” as part of a panel, hosted by the New York City Bar, New York, New York, March 16, 2011.

“Use of Multiple Regression for Evaluating Pay Equity: Prospects and Pitfalls” co-authored with Alex Grecu, NERA Publication, January 18, 2011.

“Why Daubert Makes Sense At Class Cert Under Title VII,” co-authored with Denise Martin, *Employment Law* 360, July 9, 2010.

“The Discrimination vs. Wage-and-Hour Litigation Trade-Off,” co-authored with Alex Grecu, *For the Legal Eye*, 2 (Winter 2008): 3-4.

“Are You in Compliance with the Office of Federal Contract Compliance Programs,” co-authored with Audrius Girnius, *For the Legal Eye*, 1(Summer 2007): 13-14.

Pedestrian and Motor Vehicle Post-Stop Data Analysis Report, co-authored with Geoffrey P. Alpert, Mark A. Gustafson, Alan P. Meister, Michael R. Smith and Bruce A. Strombom, prepared for the City of Los Angeles, July 2006, <http://www.lacity.org/LAPDstops/>

Reply to Joseph P. Kadane, *Chance*, 19 (Spring 2006): 41-42.

“The Limits of the Wage Impact of Discrimination,” with C. M. Lindsay, *Managerial and Decision Economics*, 26 (December 2005): 513-525.

“Assortative Mating or Glass Ceiling: Under-representation of Female Workers among Top Earners,” with C. M. Lindsay, in *Accounting for Worker Well-Being: Research in Labor Economics*, 23 (2004), ed. S.W. Polachek.

“The Derived Demand for Faculty Research,” with C. M. Lindsay and Gary Grizzle, *Managerial and Decision Economics*, 24 (December 2003): 549-567.

“Vague Definitions on Overtime Pay Open Door to Litigation,” with Allan G. King (Littler Mendelson), *New York Law Journal*, October 14, 2003: S9.

“Look Before You RIF: Managing the Risk of ADEA Collective Actions,” with Debo Sarkar, *Labor Law Journal*, 54 (Summer 2003): 101-107.

“Assessing Class-wide Claims of Unfair Employment Conditions,” with Charles Diamond, *L&E Newsletter: Labor and Employment Law Section of the New York State Bar Association*, 28 (Summer 2003): 10-12.

“The Illusion of Fiscal Illusion: Unsticking the Flypaper Effect,” *Public Choice*, 86 (January 1996): 85-102.

“Male/Female Disparity in Starting Pay,” with C. M. Lindsay, *Southern Economic Journal*, 61 (January 1995): 628-643.

“Does the Government Free Ride?” with C. M. Lindsay, *Journal of Law and Economics*, 37 (April 1994): 277-296.

“Sex Differences in Tenure Profiles: Effects of Shared Firm-specific Investment,” with C. M. Lindsay, *Journal of Labor Economics*, 12 (January 1994): 98-118.

“Regulating the Function, not the Industry,” with Bruce Yandle, *Public Choice*, 51 (1986): 59-70.

Testimony (Past Four Years)

Yegal Rosen v. BMO Nesbitt Burns Inc. (Ontario Superior Court of Justice) – Expert report regarding statistical sampling methodology. Cross examination on September 24, 2012.

Cathy A. Daves v. Debevoise & Plimpton LLP (Southern District of New York) – Expert report regarding economic damages from alleged wrongful termination. Deposition testimony on September 13, 2012.

Leanne Mascaro, et al. v. Abbott Laboratories, Inc. (Southern District of Florida) – Expert report regarding activities and hours worked of pharmaceutical sales representatives. Deposition testimony on March 1, 2012.

Providence Aiossa v. Bank of America N.A., et al. (Eastern District of New York) – Expert report regarding economic damages from alleged wrongful termination. Deposition testimony on August 24, 2011.

Effat S. Emamian v. Rockefeller University (Southern District of New York) – Expert economic and statistical analyses regarding alleged sex discrimination in pay, promotion and work assignments. Deposition testimony on August 18, 2010.

Annette Andersen v. NVR, Inc (District of Maryland) – Expert report regarding statistical analysis of claims of age and sex discrimination in a workforce reduction. Report submitted on February 12, 2010 and deposition testimony on March 5, 2010.

James Jirak v. Abbott Laboratories, Inc. (Northern District of California) – Expert report relating to class certification and alleged misclassification of pharmaceutical sales representatives. Expert report submitted on September 23, 2009 and deposition testimony in November 2009.

Attachment 2
Documents Considered

No. Document Type/Document Title

Case Legal Documents

1. Consolidated Amended Complaint, September 13, 2011.
2. Plaintiffs' Notice of Motion and Motion for Class Certification, and Memorandum of Law in Support, October 1, 2012 and supporting declarations and exhibits.
3. Opposition to Plaintiffs' Motion for Class Certification, November 12, 2012 and supporting declarations and exhibits.
4. Plaintiffs' Consolidated Reply in Support of Motion for Class Certification and Opposition to Defendants' Motion to Strike the Report of Dr. Edward E. Leamer, December 10, 2012 and supporting declarations and exhibits.
5. Plaintiffs' Supplemental Motion and Brief in Support of Class Certification, May 10, 2013 and supporting declarations and exhibits.
6. Defendants' Opposition to Supplemental Class Certification Motion, June 21, 2013 and supporting declarations and exhibits.
7. Plaintiffs' Reply in Support of Supplemental Class Certification Motion, July 12, 2013 and supporting declarations and exhibits.
8. Order Granting Plaintiffs' Supplemental Motion for Class Certification, October 24, 2013 and supporting declarations and exhibits.
9. Named Plaintiffs' Interrogatory Responses and Supplemental Interrogatory Responses

Declarations

1. Declaration of Frank Wagner in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification, November 9, 2012 and accompanying exhibits.
2. Declaration of Donna Morris of Adobe Systems Inc. in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification, November 9, 2012 and accompanying exhibits.
3. Declaration of Jeff Vjungco of Adobe Systems Inc. in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification, November 9, 2012.
4. Declaration of Steven Burmeister in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification, November 12, 2012 and accompanying exhibits.
5. Declaration of Christina Brown in Support of Defendants' Opposition to Plaintiff's Motion for Class Certification, November 12, 2012 and accompanying exhibits.
6. Declaration of Michelle Maupin in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification, November 12, 2012 and accompanying exhibits.
7. Declaration of Danny McKell in Support of Opposition to Class Certification, November 12, 2012 and accompanying exhibits.
8. Declaration of Lori McAdams in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification, November 12, 2012 and accompanying exhibits.
9. Declaration of Tina Evangelista in Support of Opposition to Class Certification, November 12, 2012 and accompanying exhibits.
10. Declaration of Mason Stubblefield, November 9, 2012 and accompanying exhibits.
11. Declaration of Chris Galy, November 9, 2012.
12. Declaration of Rosemary Arriada-Keiper of Adobe Systems Inc. in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification, November 9, 2012.

Depositions

1. Deposition of Alan Eustace, February 27, 2013 and accompanying exhibits.
2. Deposition of Alex Lintner, March 25, 2013 and accompanying exhibits.
3. Deposition of Arnon Geshuri, August 17, 2012 and accompanying exhibits.
4. Deposition of Brad Smith, February 27, 2013 and accompanying exhibits.
5. Deposition of Bruce Chizen, March 15, 2013 and accompanying exhibits.
6. Deposition of Chris Galy, March 20, 2013 and accompanying exhibits.
7. Deposition of Danielle Lambert, October 2, 2013 and accompanying exhibits.
8. Deposition of Daniel Robert McKell, March 20, 2013 and accompanying exhibits.
9. Deposition of Darrin Baja, March 1, 2013 and accompanying exhibits.
10. Deposition of David Alvarez, March 5, 2013 and accompanying exhibits.
11. Deposition of Deborah Conrad, November 21, 2012 and accompanying exhibits.
12. Deposition of Deborah Streeter, April 5, 2013 and accompanying exhibits.
13. Deposition of Digby Horner, March 1, 2013 and accompanying exhibits.
14. Deposition of Donna Morris, August 21, 2012 and accompanying exhibits.
15. Deposition of Ed Catmull, January 24, 2013 and accompanying exhibits.
16. Deposition of Eric Schmidt, February 20, 2013 and accompanying exhibits.
17. Deposition of Frank Wagner, March 7, 2013 and accompanying exhibits.
18. Deposition of George Lucas, March 28, 2013 and accompanying exhibits.
19. Deposition of James Morris, August 3, 2012 and accompanying exhibits.
20. Deposition of Jan van der Voort, February 5, 2013 and accompanying exhibits.
21. Deposition of Jeffrey Vjungco, October 5, 2012 and accompanying exhibits.
22. Deposition of Jonathan Rosenberg, March 13, 2013 and accompanying exhibits.
23. Deposition of Kevin Hallock, June 7, 2013 and accompanying exhibits.

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No. Document Type/Document Title

Depositions (continued)

24. Deposition of Kevin Hallock, November 17, 2013.
25. Deposition of Laszlo Bock, March 27, 2013 and accompanying exhibits.
26. Deposition of Lori Beck, March 8, 2013 and accompanying exhibits.
27. Deposition of Lori McAdams, August 2, 2012 and accompanying exhibits.
28. Deposition of Mark Bently, August 23, 2012 and accompanying exhibits.
29. Deposition of Mason Stubblefield, March 29, 2013 and accompanying exhibits.
30. Deposition of Michael McNeal, February 21, 2013 and accompanying exhibits.
31. Deposition of Michelene Chau, February 21, 2013 and accompanying exhibits.
32. Deposition of Michelle Maupin, February 12, 2013 and accompanying exhibits.
33. Deposition of Pamela Zissismos, November 13, 2012 and accompanying exhibits.
34. Deposition of Patricia Murray, February 14, 2013 and accompanying exhibits.
35. Deposition of Patrick Burke, February 26, 2013 and accompanying exhibits.
36. Deposition of Patrick Flynn, April 3, 2013 and accompanying exhibits.
37. Deposition of Paul Otellini, January 29, 2013 and accompanying exhibits.
38. Deposition of Randall Goodwin, March 15, 2013 and accompanying exhibits.
39. Deposition of Renee James, March 22, 2013 and accompanying exhibits.
40. Deposition of Richard Bechtel, March 7, 2013 and accompanying exhibits.
41. Deposition of Ron Okamoto, February 27, 2013 and accompanying exhibits.
42. Deposition of Rosemary Arriada-Keiper, March 28, 2013 and accompanying exhibits.
43. Deposition of Sergey Brin, March 19, 2013 and accompanying exhibits.
44. Deposition of Shantanu Narayen, February 28, 2013 and accompanying exhibits.
45. Deposition of Sharon Coker, November 1, 2012 and accompanying exhibits.
46. Deposition of Sherry Whiteley, March 14, 2013 and accompanying exhibits.
47. Deposition of Shona Brown, January 30, 2013 and accompanying exhibits.
48. Deposition of Stephanie Sheehy, March 5, 2013 and accompanying exhibits.
49. Deposition of Steven Burmeister, March 15, 2013 and accompanying exhibits.
50. Deposition of Steven Condiotti, March 20, 2013 and accompanying exhibits.
51. Deposition of William Campbell, February 5, 2013 and accompanying exhibits.
52. Deposition of Jonathan Rosenberg, March 13, 2013 and accompanying exhibits.

Expert Reports

1. Expert Report of Dr. Alan Manning, Ph. D., October 28, 2013, cited documents and accompanying backup materials.
2. Expert Witness Report of Kevin F. Hallock, Ph. D., May 10, 2013, cited documents and accompanying backup materials.
3. Expert Report of Dr. Edward E. Leamer, Ph. D., October 1, 2012, cited documents and accompanying backup materials.
4. Reply Expert Report of Dr. Edward E. Leamer, Ph. D., December 10, 2012, cited documents and accompanying backup materials.
5. Supplemental Expert Report of Dr. Edward E. Leamer, Ph. D., May 10, 2013, cited documents and accompanying backup materials.
6. Rebuttal Supplemental Expert Report of Dr. Edward E. Leamer, Ph. D., July 12, 2013, cited documents and accompanying backup materials.
7. Expert Report of Professor Kevin M. Murphy, January 17, 2013, cited documents and accompanying backup materials.
8. Supplemental Expert Report of Professor Kevin M. Murphy, June 21, 2013, cited documents and accompanying backup materials.
9. Expert Report of Kathryn Shaw, Ph.D., June 21, 2013, cited documents and accompanying backup materials.
10. Expert Report of Edward E. Leamer, Ph.D., October 28, 2013, cited documents and accompanying backup materials.
11. Expert Report of Matthew Marx, October 28, 2013, and accompanying backup materials.
12. Expert Witness Report of Kevin F. Hallock, Ph. D., October 27, 2013, cited documents and accompanying backup materials.

Defendants' Documents

1. ADOBE_007582.pdf
2. ADOBE_DATA_000038_SalaryRanges_112903_AEO.xlsx
3. ADOBE_DATA_000039_SalaryRanges_113002_AEO.xlsx
4. ADOBE_DATA_000040_SalaryRanges_120206_AEO.xlsx
5. ADOBE_DATA_000041_SalaryRanges_120305_AEO.xlsx
6. ADOBE_DATA_000042_SalaryRanges_120404_AEO.xlsx
7. ADOBE_DATA_000043_SalaryRanges_FY2008_AEO.xlsx
8. ADOBE_DATA_000044_SalaryRanges_FY2009_AEO.xlsx
9. ADOBE_DATA_000045_SalaryRanges_FY2010_AEO.xlsx
10. ADOBE_DATA_000062 through ADOBE_DATA_000156
11. ADOBE_07690
12. ADOBE_032432
13. ADOBE_DATA_000046_SalaryRanges_FY2011_AEO

Attachment 2
Documents Considered

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Defendants' Documents (continued)

14. GOOG-HIGH-TECH-00213060.R-Cite to 2007 documents
15. A/74950170.1 (74950170_1.pdf)
16. 76582DOC000902 - 22
17. 76583doc001487
18. 76597DOC000068
19. 76657DOC040461
20. 76657DOC051867
21. 76658DOC004768
22. 76658DOC009776
23. 76587DOC000001 - 2 (76587DOC000001.pdf)
24. TComp 02 - 76586DOC000052
25. TComp 16 - 76586DOC000445
26. TComp 17 - 76586DOC000469
27. INTUIT_007114.tif
28. LUCAS00015672 - 737 (Hariharan Personnel File.pdf)
29. 76603DOC000001-13 (2005 - 76603DOC000001.pdf)
30. 76633DOC004093-118 (2006 - 76633DOC004102.pdf)
31. 76583DOC002007,76583DOC002007_000002 -31 (2007 - 76583DOC002007.pdf)
32. 76614DOC022664-92 (2008 - 76614DOC022676.pdf)
33. 76658DOC000895-960 (2009 - 76658DOC000902.pdf)
34. GOOG-HIGH TECH-00054563 (Radford (Non-Sales) 2006)
35. GOOG-HIGH TECH-00054564 (Radford (Non-Sales) 2007)
36. GOOG-HIGH TECH-00054573 (Radford (Non-Sales) 2009)
37. GOOG-HIGH TECH-00054574 (Radford (Non-Sales) 2010)
38. GOOG-HIGH-TECH 00193026-30 (GOOG-HIGH-TECH 00193026 [2007 01 30 COMP PHILOSOPHY].pdf)
39. GOOG-HIGH-TECH-00519081-91
40. GOOG-HIGH-TECH-00302552.000001-13 (GOOG-HIGH-TECH-00302552.pdf)
41. GOOG-HIGH-TECH-00576793.R -00576813.R (GOOG-HIGH-TECH-00576793.R - 00576813 [2009 01 14 TOTAL REWARDS PHILOSOPHY].pdf)
42. LUCAS00221117.xlsx
43. GOOG-HIGH-TECH-00195512
44. GOOG-HIGH-TECH-00194962.pptx
45. GOOG-HIGH-TECH-00057190.pptx
46. GOOG-HIGH-TECH-00450451 – 5.
47. GOOG-HIGH-TECH- 00519070.R in GOOG-HIGH-TECH-00519070.R – 80.R

Publicly Available Data and Documents

1. Bureau of Labor Statistics, Occupational Employment Statistics National and MSA data; 2001-2011 [<http://bls.gov/oes/tables.htm>], accessed November 15, 2013.
2. Adobe's 2008 Proxy Statement (http://www.adobe.com/aboutadobe/invrelations/pdfs/2008_ProxyStatement.pdf)
3. Adobe's 2009 Proxy Statement (http://www.adobe.com/aboutadobe/invrelations/pdfs/2009_proxystatement.pdf)
4. Adobe's 2010 Proxy Statement (http://www.adobe.com/aboutadobe/invrelations/pdfs/2010_proxystatement.pdf)
5. Adobe's 2011 Proxy Statement (http://www.adobe.com/aboutadobe/invrelations/pdfs/2011_Proxy_Statement.pdf)
6. Adobe's 2012 Proxy Statement (http://www.adobe.com/aboutadobe/invrelations/pdfs/2012_Proxy_Statement.pdf)
7. Apple's 2007 Proxy Statement - Apple's 2012 Proxy Statements
8. Adobe's 10-Ks
9. Apple's 10-Ks
10. Google's 10-Ks
11. Intel's 10-Ks
12. Intuit's 10-Ks
13. Pixar's 10-Ks
14. Adobe's web-site (<http://www.adobe.com/company.html?promoid=KAWQM>)
15. Apple's web-site (<http://www.apple.com/>)
16. Google's web-site (<https://www.google.com/intl/en/about/>)
17. Intel's web-site (<http://www.intel.com/content/www/us/en/company-overview/company-overview.html>)

Publicly Available Data and Documents (continued)

18. Intuit's web-site (<http://about.intuit.com/>)
19. LucasFilm's web-site (<http://www.lucasfilm.com/inside/>)

Attachment 2
Documents Considered

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20. Pixar's web-site (<http://www.pixar.com/about>)

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